Appendix A

Assume that the decedent was a 30-year old white male earning $10,000 per year. Based on the "Vital Statistics of the United States, 1964, Vol. II, Sec. 5" Department of Health, Education and Welfare, he had a life expectancy of 41.0 years.

Further assume that his work life would end at 65. He would have had a work life expectancy of 35 years.

The value of his future earning capacity, discounted to present value, using a rate of 4%, would be $186,646.00.

Since the Warsaw Convention limitation is $8,300.00, his widow and children would be deprived of $178,346.00 of reasonably expectable future earnings usable for their maintenance and care.

Appendix B

The Tables below are based on the results obtained by the Civil Aeronautics Board when it sent a questionnaire to each United States carrier in 1965. They were asked to list all accidents since January 1, 1958. Further, they were requested to provide the amounts of all settlements and verdicts for death and serious personal injury. See Lowenfeld and Mendelsohn, "The United States and the Warsaw Convention," 80 Harv. L.Rev. 497, 553-555.

TABLE I

Passenger Recoveries (Including Both Judgments and Settlements) in Warsaw and Non-Warsaw Fatality Cases (United States Carriers[a])

Applicable Year	Number of Settlements[b]	Total Settlements	Average per Passenger Fatality
		Warsaw	
1950	25	$ 201,529	$ 8,061
1951	26	82,015	3,154
1952	43	276,634	6,433
1953	3	28,088	8,696
1954[c]	—	—	—
1955	1	10,576	10,576
1956	2	11,656	5,828
1957	23	108,700	4,726
1958	1	4,812	4,812
1959	53	405,710	7,654
1960	10	74,700	7,470
1961	8	37,227	4,653
1962	2	12,000	6,000
1963	2	16,600	8,300
1964	14	114,000	8,142
Totals	**213**	**$ 1,382,247**	**$ 6,489**
		Non-Warsaw	
1950	112	$ 1,327,385	$11,852
1951	105	1,506,764	14,350
1952	107	2,493,165	23,301
1953	62	2,362,910	38,111
1954[c]	—	—	—
1955	122	2,433,345	19,945
1956	85	2,467,980	29,035
1957	43	1,295,064	30,118
1958	112	6,451,351	57,601
1959	161	12,856,984	79,857
1960	184	8,901,610	48,378
1961	105	1,562,397	14,880
1962	117	7,421,849	63,434
1963	114	3,057,079	26,816
1964	23	1,763,000	76,652
Totals	**1,452**	**$55,900,883**	**$38,499**

[a] Includes 13 U.S. carriers operating scheduled international and/or domestic trunkline services.

[b] Does not include actions as yet unsettled by final judgment or compromise.

[c] No judgments or settlements were reported for accidents occurring in 1954.

TABLE II

Levels of Passenger Recovery In Non-Warsaw Fatality Cases, 1958-1964 (United States Carriers)

Amount of Payment	Number of Claims	Percent of Claims
0	53	6.5
$1–$8,292	194	23.9
8,293–16,583	159	19.5
16,584–33,000	115	14.1
33,001–50,000	54	6.6
50,001–75,000	47	5.8
75,001–100,000	45	5.6
100,001–200,000	110	13.5
200,001 and up	36	4.4
Totals	**813**	**100.0**

Appendix C

The number of jurisdictions in the United States with limitations on damages for wrongful death has steadily decreased since 1935, as will be seen below:

1935.....16 states and the District of Columbia
1955.....15 states
1965.....13 states
1967.....10 states

Since 1935 the maximum amounts of the remaining limitations have steadily increased, as will appear below:

Jurisdictions	Amounts ($)			
	1935	1955	1965	1967
1. Alaska	10,000	50,000	No limit (N/L)	N/L
2. Colorado	5,000	10,000	25,000	35,000
3. Connecticut	10,000	N/L	N/L	N/L
4. District of Columbia	10,000	N/L	N/L	N/L
5. Illinois	10,000	25,000	30,000	N/L
6. Indiana	10,000	15,000	N/L	N/L
7. Kansas	10,000	25,000	25,000	35,000
8. Maine	5,000	10,000	30,000	N/L
9. Massachusetts	10,000	20,000	50,000	50,000
10. Minnesota	7,500	17,500	35,000	35,000
11. Missouri	10,000	25,000	25,000	50,000
12. New Hampshire	10,000	15,000	40,000	60,000
13. Oregon	7,500	17,500	25,000	N/L
14. South Dakota	10,000	20,000	30,000	30,000
15. Virginia	10,000	25,000	40,000	40,000
16. West Virginia	10,000	20,000	25,000	110,000
17. Wisconsin	10,000	15,000	22,500	22,500